

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

George Henderson

v.

Case No. 05-cv-147-PB

Furniture North, LLC
d/b/a Bob's Discount Furniture

ORDER

Defendant did not waive its right to challenge service because it listed lack of proper service as a defense in its answer and the parties agreed in their proposed case management order that motions to dismiss could be filed as late as December 1, 2005. Plaintiff fails to cite a statute, rule or case to support his argument that service by certified mail was proper in this case. While it might be possible to justify the means of service selected, it is not an appropriate use of judicial resources to attempt to identify and evaluate arguments that counsel has failed to properly develop on his own. Rather than

dismiss the complaint, I grant plaintiff an additional 30 days to effect service in a manner authorized by law.

SO ORDERED.

/s/Paul Barbadoro
Paul Barbadoro
United States District Judge

January 20, 2006

cc: Leslie Johnson, Esq.
Tani Sapirstein, Esq.
Scott Gleason, Esq.
Thomas Gleason, Esq.